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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

James Oliver Romine Jr.,

Plaintiff,

vs.

James Nicholas Stanton,

Defendant.

No. 2:16-cv-00604-JJT

**DEFENDANT'S RESPONSE IN
OPPOSITION TO PLAINTIFF'S MOTION
FOR LEAVE TO FILE A SUPPLEMENTAL
MEMORANDUM IN SUPPORT OF
AMENDED MOTION IN RESPONSE TO
DEFENDANT'S MOTION TO DISMISS
ORIGINAL COMPLAINT**

Defendant James Nicholas Stanton responds in opposition to Plaintiff's *Motion for Leave to File a Supplemental Memorandum in Support of Amended Motion in Response to Defendant's Motion to Dismiss Original Complaint* [Doc. 27].

Plaintiff's motion should be denied because the *Supplemental Memorandum* [Doc 28] is an impermissible sur-reply. Plaintiff merely repeats arguments already made in response to the Motion to Dismiss and cites new cases not within Defendant's reply brief. The motion should be denied.

If the Court is inclined to grant the Motion then Defendant respectfully requests leave to file a response thereto.

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1 RESPECTFULLY SUBMITTED this 31st day of May, 2016.

2 **HARTMAN TITUS PLC**

3 By: /s/Bradley P. Hartman

4 Bradley P. Hartman

5 John D. Titus

6 7114 E. Stetson Drive, Suite 205

7 Scottsdale, Arizona 85251-3250

8 Attorneys for Defendant

9 **CERTIFICATE OF SERVICE**

10 I hereby certify that on May 31, 2016, I caused the
11 foregoing document to be filed electronically with the
12 Clerk of Court through CM/ECF System for filing and
13 transmittal of Notice to the following CM/ECF registrant:

14 James Oliver Romine Jr.

15 12494 Ironwood Dr.

16 Yuma, AZ 85367

17 jromine2445@gmail.com

18 *Plaintiff*

19 /s/ Bradley P. Hartman
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